

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

TED CHAVEZ,

Plaintiff,

vs.

Civ. No. 98-456 BB/WWD

TROJAN PLASTICS, INC., et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court as the result of a letter from Plaintiff's counsel which I received December 17, 1998. The letter indicates that once Plaintiff's counsel has certain discovery "in hand", he will be able to circulate the Initial Pre-Trial Report. I entered an order to extend the time to file an Initial Pre-Trial Report on October 22, 1998; and on October 28, 1998, I entered an order which indicated that the parties should "submit a joint Initial Pre-Trial Report to me on or before November 30, 1998." I realize that Plaintiff's counsel is making certain preliminary inquiries to see if certain parties can be dropped from the lawsuit and that, therefore, submission of the Initial Pre-Trial Report has been delayed. The delay has exceeded my expectations, and it has also exceeded any permission which has been sought by Mr. Ely. Considering the impressive group of defense lawyers which Mr. Ely has against him, not to mention his rather cavalier disregard of my previous order, I can't help but wonder what is the source of his nonchalance. Nevertheless, after taking into account the peculiarities of this

particular case, the uncertainties created by our recent move, and the generally benign feelings engendered by the season, I will move the deadline for the filing of the Initial Pre-Trial Report.

WHEREFORE,

IT IS ORDERED that the Initial Pre-Trial Report in this cause be completed and delivered to my office on or before January 29, 1999.


UNITED STATES MAGISTRATE JUDGE